

Maine Registers of Deeds Association

Right to Know Advisory Committee – Bulk Data Subcommittee October 14, 2011

1. What is bulk data, and how should it be defined? Bulk data is defined as copies of consecutive records that are retrieved collectively from the department's database as a result of a single request, without modification or compilation. Bulk records do not include a specific sort of the database or retrieving one record at a time from a single request and are not paper copies. A government agency may require a request for bulk copies to comprise a minimum of one month's records.
2. What is the appropriate method of determining the cost that a requester must pay for bulk data? Bulk data copies should be less per copy than single copies, but they should take into consideration the same factors, cost of the data base, staff time, and media costs, for example. Some state agencies have already gone through the rulemaking process and determined what their bulk data fees should be. See Attachment. As an average of the agencies the cost for bulk data should be 5 cents per image and/or record. The requestor shall pay for redaction of confidential information within the database if present.
3. A) Should a requester of bulk data be entitled to the records in the format and type of access requested? Bulk data should be copied or transferred digitally by FTP, removable hard drive, DVD, or CD, depending on the capability of the existing system in the format in which it is stored.
- 3.B) Should a distinction be made between a requester seeking access to records and a requester seeking ownership of records? Absolutely. A distinction must be made between OPEN access to public records and FREE access to public records.
4. Should the law distinguish between bulk data requests of public records for commercial purposes versus requests for noncommercial purposes? Bulk data requests should not apply to an individual, a corporation, a partnership, a limited liability company, or an unincorporated association whose primary purpose is to resell public records. Some purchasers of public records use

the data to be informed, or inform other members of the public. They sort the data to produce statistics, or repackage it into commercially available items, such as maps. They are adding value to the data and producing their own product. This is totally different than getting access to public records for the sole purpose of reselling those records.

For example: The Maine Archives opened an internet store a few years ago. I want all its digital images in bulk at cost. I don't care how much they have invested in storage, preservation, equipment, and employee time to do this. I only want to pay for the time it takes an employee to copy the digital records. I'll provide a portable hard drive. After I have these images I am going to open my own store and sell them. Since my investment is so little I can undercut the archives prices and create quite a little business for myself. This scenario needs to be avoided as it is all too real. Government should be allowed to provide transparency thru access (Open Access) without giving away ownership of data and government departments like Maine Archives, Registries of Deeds, Public libraries, Ucc and Corporations, and Historical Societies... Already DO!

In addition we offer the following points for consideration:

- a. Questions regarding filing or answering bulk data requests should be referred to the ombudsman.
- b. Develop an official request and reply form. All requests and replies must use the official form and be sent by mail, fax, or email. No phone calls
- c. Initial time for a response: 5 days from receipt of request
- d. Initial reply to include an estimate of time of compliance and cost. Any cost over \$100 must be paid in advance.
- e. Time for compliance with request: As soon as practically possible. Factors would include staff availability, format requested and amount of data requested.
- f. Request cannot be made for future data not yet received or entered in database.

InforME Bulk Data Services Summary

July 2010

IF&W – Bulk Special Request Data:

Data available to purchase includes moose permittee data, hunting and fishing license data, boat/ATV/snowmobile registration data, and guides/trappers licensee data. These requests tend to be one-time and specific requests from folks who wish to market their business to outdoorsmen (camp owners, guides, outfitters, etc.), as well as from political candidates during election years.

Fees: \$.03 - \$.05 per record

Fee set by: rulemaking

Annual requests: approx 25-30

Annual records sold: approx 27,000

BMV – Bulk & Special Request Data:

Data available to purchase includes vehicle title, registration, and driver license data. In order to obtain personal information in these records (name, address, date of birth, license number), the purchaser must be eligible under the Driver Privacy Protection Act and sign an affidavit regarding their eligibility. Customers for this data vary but it is mostly national data brokers who have standing orders for monthly updates. These records are typically re-sold by those companies to insurance companies for underwriting purposes. Other customers include credit agencies and large local employers.

Fees: Entire reg, title, or license database - \$.02 per record; sub-sets - \$.06 per record

Fee set by: rulemaking

Annual requests: approx 300

Annual records sold: approx 7,175,000

The BMV bulk data service was part of the initial InforME SLA negotiated with the Secretary of State in 1999. SOS was unable to provide a sufficient per-record portal fee on online driver records to support the desired level of baseline portal staff, so SOS offered the bulk data service as supplementary baseline revenue to make up the difference. BMV had previously sold the bulk data themselves, at a financial loss due to staff time. When the service was moved to the portal, BMV increased the per-record fees and negotiated a flat monthly payment from InforME. This provided BMV more revenue and eliminated their staff impact. This service remains a core portion of the portal's funding.

CEC – Bulk & Special Request Corporations and UCC Data:

Data available to purchase includes corporate records, active/inactive corporations records, trademark records, trademark images, corporate/UCC images, UCC records. Standard record updates are available weekly or monthly. There are a handful of customers, primarily large national data brokers who have standing orders for updates.

Fees:

Bulk UCC and Corporate Data Full Data Monthly Data-sets

Batch Corporate & UCC Records	\$600.00
Batch Active/Inactive Corporate & UCC Records	\$1200.00
Batch Corporate & UCC Images	\$1500.00
Batch Service/Trade Mark Records	\$300.00
Batch Service/Trade Mark Images	\$300.00

Bulk UCC and Corporate Data Weekly Updates Data-sets

Corporate Data	\$300.00
Corporate Images	\$500.00
Service/Trade Mark Data	\$150.00
Service/Trade Mark Images	\$150.00
UCC Data	\$300.00
UCC Images	\$500.00

Special Request Corporate & UCC Records \$0.10 per record

Fee set by: rulemaking

Annual Requests: approx 100

Annual Records sold: n/a

State Police - Crash Reports:

Data available to purchase consists of state crash reports, including crash date, location, names, injury information, vehicle information, license status. There are just a few customers for this data, primarily large national entities that use this information for consumer protection and data broker services.

Fees: \$0.50 per record

Fee set by: statute specifies that agency may set fees for crash records; fees set in rulemaking

Annual Requests: approx 25

Annual Records sold: approx 70,000

Board of Medicine – Bulk Physician Licensee Data:

Online service allows users to specify data parameters to create a downloadable file. These are typically one-time and specific requests.

Fees: \$50 flat fee plus \$.05 per record

Fee set by: rulemaking

Annual requests: approx 50

Annual records sold: approx 150,000